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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/015,569      | 12/17/2001  | Hsing-Tung Wang      | 4504-044            | 6245             |

7590

09/26/2005

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EXAMINER

GIBBS, HEATHER D

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 09/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/015,569             | WANG ET AL.         |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Heather D. Gibbs       | 2622                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 December 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-8 and 11 is/are rejected.
- 7) ☒ Claim(s) 3,9 and 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Drawings*

1. Figures 1A, 1B, 2A, and 2B should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the LED array (claim 3) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for

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consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2,7,11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Okino (US 6,194,732).

Applicant's admitted prior art discloses an apparatus having a light source for a transparent sheet of a scanner comprising: a shell object 10; a light emitting element 12 inside said shell object for emitting a light rays; a reflective plate 121 being between said shell object and said light-emitting element for reflecting said light-emitting from said light-emitting element (Page 1 and 2; Figs 1A-2B).

Applicant's admitted prior art does not disclose expressly an aperture on a first predetermined position of said reflective plate to decrease the illumination of said first predetermined position.

Okino discloses an aperture on a first predetermined position of said reflective plate to decrease the illumination of said first predetermined position (Col 8 Lines 65-Col 9 Line 9; 25-39).

Applicant's admitted prior art & Okino are combinable because they are from the same field of endeavor.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Okino with Applicant's admitted prior art.

The suggestion/motivation for doing so would have been to decrease the illumination with an aperture.

Therefore, it would have been obvious to combine Applicant's admitted prior art with Okino to obtain the invention as specified in claim 1.

Regarding claim 2, Applicant's admitted prior art discloses wherein said light-emitting element is a lamp (Ref. 160; Fig 2B).

Considering claim 7, Okino teaches wherein said first determined position is at the central part of said light-emitting element (Col 9 Lines 25-39).

For claim 11, Okino teaches a protective plate made of the material pervious to light is at the surface of said shell object for protecting said apparatus (Col 8 Lines 65-Col 9 Line 5)

5. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Hitoshi (JP 10-197969A).

Applicant's admitted prior art discloses the apparatus as discussed above.

Applicant's admitted prior art does not disclose expressly wherein said reflective plate is in an arc shape (claim 4), is in "Π" shape (claim 5) and wherein the central part of said aperture is wider than the two ends (claim 6).

Hitoshi discloses wherein said reflective plate is in an arc shape, is in "Π" shape and wherein the central part of said aperture is wider than the two ends (Drawing 1).

Applicant's admitted prior art & Hitoshi are combinable because they are units, which have lamps that irradiate light towards a manuscript.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Applicant's admitted prior art with Hitoshi.

The suggestion/motivation for doing so would have been to decrease the quantity of light irradiated by the manuscript (Paragraph 0005).

Therefore, it would have been obvious to combine Hitoshi with Applicant's admitted prior art to obtain the invention as specified in claims 4-6.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Kito et al (US 6,864,998).

Applicant's admitted prior art discloses the apparatus as discussed above.

Applicant's admitted prior art does not disclose expressly a spreading plate which is a thin film between said light-emitting element and said reflective plate to cover said light-emitting element for spreading said light rays passing through it.

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Kito et al discloses a spreading plate which is a thin film between said light-emitting element and said reflective plate to cover said light-emitting element for spreading said light rays passing through it (Col 14 Lines 7-26)

Applicant's admitted prior art & Kito are combinable because they are from the same scope of nature.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Kito with Applicant's admitted prior art.

The suggestion/motivation for doing so would have been to cover the rays passing through.

Therefore, it would have been obvious to combine Applicant's admitted prior art with Kito to obtain the invention as specified in claim 8.

### ***Allowable Subject Matter***

7. Claims 9-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather D. Gibbs whose telephone number is 571-272-7404. The examiner can normally be reached on M-Thu 8AM-7PM.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Heather D Gibbs  
Examiner  
Art Unit 2622

hdg

  
EDWARD COLES  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER